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PATENT COOPERATION TREATY

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INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY (Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44bis)

Applicant's or agent's file reference 63604A	FOR FURTHER ACTION	See item 4 below	
International application No. PCT/US2004/042278	International filing date (day/month/year) 15 December 2004 (15.12.2004)	Priority date (day/month/year) 07 January 2004 (07.01.2004)	
International Patent Classification (8t) See relevant information in Form f	h edition unless older edition indicated) PCT/ISA/237		
Applicant DOW GLOBAL TECHNOLOGIES	INC.		

-					
1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 bis. 1(a).				
2.	This REPORT consists of a total of 6 sheets, including this cover sheet.				
	In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.				
3.	3. This report contains indications relating to the following items:				
	Box No. I	Basis of the report			
	Box No. II	Priority			
	Box No. III	Non-establishment of opini applicability	on with regard to novelty, inventive step and industrial		
	Box No. IV	Lack of unity of invention			
	Box No. V	Reasoned statement under applicability; citations and	Article 35(2) with regard to novelty, inventive step or industrial explanations supporting such statement		
	Box No. VI	Certain documents cited			
	Box No. VII	Certain defects in the intern	national application		
	Box No. VIII	Certain observations on the	international application		
4.	4. The International Bureau will communicate this report to designated Offices in accordance with Rules 44bis.3(c) and 93bis.1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44bis.2).				
			Date of issuance of this report 10 July 2006 (10.07.2006)		
The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland		mbettes	Authorized officer Agnes Wittmann-Regis		
	Facsimile No. +41 22 338 82 70 e-mail: pt06@wipo.int				
Form I	Form PCT/IB/373 (January 2004)				

PATENT COOPERATION TREATY

rom the NTERNATIONAL SEARC	CHING AUTHO	RITY		Dranti a Aug	20:05	
To:-				WIPO COIN	PCT	
see form PCT/ISA/220			INTERNATIO	TEN OPINION OF TH NAL SEARCHING AU PCT Rule 43 <i>bis</i> .1)	HE JTHORITY	
•			Date of malling (day/month/year) se	ee form PCT/ISA/210 (second sh	reet)	
Applicant's or agent's file re	Applicant's or agent's file reference			FOR FURTHER ACTION See paragraph 2 below		
International application N PCT/US2004/042278	o.	International filing date (day/month/year)	Priority date (day/month/year 07.01.2004	r)	
International Patent Classi G06F1/16, H04M1/02	ification (IPC) or	I both national classification	and IPC			
Applicant DOW GLOBAL TEC	HNOLOGIES	INC.				
Box No. I Box No. II Box No. III Box No. IV Box No. V Box No. VI Box No. VI Box No. VIII Box No. VIII Box No. VIII Box No. VIII Box No. VIIII In a demand for written opinion of the applicant chall but will not be so could this opinion is	Basis of the or Priority Non-establish Lack of unity of Reasoned state applicability; of Certain docur Certain defect Certain observational profit the International Profit	ment of opinion with reconfinvention atement under Rule 43b citations and explanation ments cited ts in the international approximations on the international Preliminary examination is an Preliminary Examination of the first of the first one e 66.1 bis(b) that written bove, considered to be	gard to novelty, inverties. 1(a)(i) with regard in supporting such supplication on a application in a Market in the supportion of the supplication	will usually be considered to however, this does not apple to chosen IPEA has notified mational Searching Authority the IPEA, the applicant is inviting to 122 months from the pr	industrial be a ply where the y ited to	
whichever expir	es later.					
		o Form PCT/ISA/220.	<i>;</i>			
Name and mailing add	ress of the ISA:		Authorized Office	r	gentuckes Primary.	
D-80298 Tel. +49	n Patent Office Munich 89 2399 - 0 Tx: 5 89 2399 - 4465	523656 epmu d	Vertua, A Telephone No. +	49 89 2399-7025	And the same of th	

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US2004/042278

	Box I	No. I	Basis of the opinion
1.	the la	angua	ard to the language , this opinion has been established on the basis of the international application in age in which it was filed, unless otherwise indicated under this item.
	l (angu (und	opinion has been established on the basis of a translation from the original language into the following page , which is the language of a translation furnished for the purposes of international search er Rules 12.3 and 23.1(b)).
2 <u>.</u>	With nece	rega ssar	ard to any nucleotide and/or amino acid sequence disclosed in the international application and y to the claimed invention, this opinion has been established on the basis of:
	a. ty	pe of	f material:
) a	sequence listing
) ta	able(s) related to the sequence listing
	b. fo	rmat	t of material:
		3 ii	n written format
	E] i	n computer readable form
	c. tii	me o	of filling/furnishing:
	E	-	contained in the international application as filed.
	(- 1	filed together with the international application in computer readable form.
	Ţ		furnished subsequently to this Authority for the purposes of search.
3	3. □	has	addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto s been filed or furnished, the required statements that the information in the subsequent or additional bies is identical to that in the application as filed or does not go beyond the application as filed, as propriate, were furnished.
	1 Adi	ditior	nal comments:

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

International application No. PCT/US2004/042278

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Yes: Claims

8-12

Claims No:

1-7

Inventive step (IS)

Yes: Claims No:

Claims

Industrial applicability (IA)

Yes: Claims

1-12 1-12

Claims No:

2. Citations and explanations

see separate sheet

Re Item V

Reasoned statement with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

Reference is made to the following documents:

- D1: PATENT ABSTRACTS OF JAPAN vol. 2003, no. 12, 5 December 2003 (2003-12-05) & JP 2003 241277 A (CANON INC), 27 August 2003 (2003-08-27)
- D2: PATENT ABSTRACTS OF JAPAN vol. 1999, no. 01, 29 January 1999 (1999-01-29) & JP 10 284855 A (NITSUKO CORP), 23 October 1998 (1998-10-23)
- D3: US-B1-6 179 122 (MONCRIEF MICHAEL L ET AL) 30 January 2001 (2001-01-30)
- D4: DE 297 12 291 U1 (KEUTER, REINERT, 33332 GUETERSLOH, DE) 30 October 1997 (1997-10-30)
- D5: US-A-5 469 982 (GORDECKI ET AL) 28 November 1995 (1995-11-28)
- The present application does not meet the criteria of Article 33(1) PCT, because the 1. subject-matter of claim 1 is not new in the sense of Article 33(2) PCT.

The document D1 discloses (the references in parentheses applying to this document):

An impact absorbing insert (rubber member 54, fig. 16) for a protective case designed for containing and protecting a fragile article wherein the insert comprises one or more impact-absorbing portion (borders and button group of rubber member 54), and one or more tethered plug (53, fig. 16; 38, fig. 7) for insertion into an access tunnel contained in a mating user defined enclosure, wherein said access tunnel provides access to features of the article without opening the protective case.

- 1.1 It is furthermore remarked that claim 1 is not new in the light of documents D2, D3, D4 as well (see search report).
- Independent claim 11 does not involve an inventive step in the sense of Article 33(3) 2.

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (SEPARATE SHEET)

International application No.

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Claim 11 contains no technical feature which can support an inventive step: in fact claim 11 merely claims the step of designing attachment features, without any further detail. Such a step does not necessarily involve the use of technical means or a technical effect, and therefore has not technical charachter. As a consequence, it cannot contribute to inventive step.

Dependent claims 2-10, 12 do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in 3. respect of novelty and/or inventive step, see documents D1-D3 and the corresponding passages cited in the search report.